TL 3095

East Timor Human Rights Centre

URGENT ACTION

6 November 1996

NAMES: Azito Freitas and other un-named East Timorese people

VIOLATIONS: Arbitrary Arrest / Torture

LOCATION: Baucau, East Timor

Ref: UA 10/96

The East Timor Human Rights Centre fears for the safety of a 19 year old East Timorese student, Azito Freitas, who was arrested on October 28 by members of the Indonesian "red beret" forces (Kopassus). Azito Freitas is the son of Casimiro Freitas and Judith Freitas and is from the hamlet of Ossoluga in Samalari, Baucau District. It is believed he was arrested while on his way to attend a mass to be celebrated by Bishop Belo at the church of Saint Antonio in Baucau.

According to a recent report received by the ETHRC, Azito Freitas is still detained at the Baucau police-station where he has been under intensive interrogation and has been subjected to violent torture, resulting in a broken arm. It is believed he has been pressured under torture to confess to killing Commander Juliao Fraga, an East Timorese commander in the Indonesian military who was killed on 24 October in Baucau, or to name the people responsible for the killing. Azito Freitas has denied any involvement in the incident and has also refused to name others.

Reliable sources have confirmed that following the killing of Fraga, many East Timorese people have been arbitrarily arrested and are being subjected to torture. They are also being pressured to confess to the killing of Fraga or to accuse Resistance guerrillas of responsibility. Grave fears are held for Azito Freitas and any other East Timorese who may still be in detention.

Background information

According to a report by Lusa News dated 26 October, the Dili military commander, Colonel Mahidin Simbolon, announced that Fraga was shot dead and that 8 bullets were found in his body. Colonel Simbolon said: "I instructed police to investigate his death. Nobody saw him being shot, but there are indications that the rebels were involved."

However, according to a recent report received by ETHRC, Fraga was killed following a meeting in Baucau on 24 October, attended by a number of military commanders. It is believed that during the meeting Fraga refused to agree to plans to kill large numbers of East Timorese youth. According to eye witnesses, after leaving the meeting he was immediately shot dead by members of the Indonesian military.

The situation in Baucau is still very tense and there have been recent media reports about soldiers in the Indonesian military who have mutinied. These reports are still unconfirmed and have been denied by Indonesian authorities, however, the ETHRC is continuing to investigate these reports which may be related to the incidents surrounding the killing of Fraga.

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Chair: Bishop Hilton Deakin Director: Ms Maria Brett

RECOMMENDED ACTION:

Please send faxes/telegrams/express/airmail letters in English, Bahasa Indonesia or your own language:

- seeking clarification of the charges against Azito Freitas;
- calling on the authorities to provide the names and other details of any other people detained in the Baucau District following the killing of Commander Juliao Fraga in October 1996, and calling for the immediate and unconditional release of any detainees who have not been charged with an offence under existing laws;
- seeking assurances that Azito Freitas and any others still in detention will not face any torture or ill-treatment while in detention and that they will be treated humanely and in accordance with international standards; and
- seeking assurances that they will have full and continuing access to lawyers of their own choice and to representatives of the International Committee of the Red Cross (ICRC).

SEND APPEALS TO:

1. MILITARY COMMANDER REGION IX/UDAYANA (includes East Timor)
   Maj Gen H.A. Rivai
   Pangdam IX/Udayana
   Markas Besar KODAM IX/Udayana
   Denpasar, Bali
   INDONESIA
   Telephone: +62 361 228 095
   Telegrams: Pangdam IX/Udayana, Denpasar, Bali, Indonesia

2. CHIEF OF POLICE FOR EAST TIMOR
   Colonel Yusuf Muharram
   Kapolda Timor Timur
   Dili, East Timor
   INDONESIA
   Telegrams: Kapolda, Dili, East Timor

ALSO SEND COPIES TO:

5. MINISTER OF FOREIGN AFFAIRS
   Ali Alatas S.H.
   Menteri Luar Negeri
   Jl. Medan Taman Pejambon No. 6
   Jakarta
   INDONESIA
   Faxes: +62 21 360 541 / 360 517 / 380 5511 / 345 7782

6. SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS
   Prof. Dr. Baharuddin Lopa
   Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM)
   Jl Pemuda No.104
   Rawamangun
   Jakarta Timur
   INDONESIA
   Faxes: +62 21 470 0775

and to diplomatic representatives of Indonesia in your country.

PLEASE SEND APPEALS IMMEDIATELY

Check with the East Timor Human Rights Centre if sending appeals after 18 Decmber 1996.